APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,257	07/01/2003	Christine Chen	021756-000100US	3331

51206   7590   11/02/2007
TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER
PARK, GEORGE M

ART UNIT	PAPER NUMBER
4114	

MAIL DATE	DELIVERY MODE
11/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/612,257	CHEN ET AL.
	Examiner	**Art Unit**	
	George Park	4114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 January 2005*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-20* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *01 July 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *7/1/2003 and 1/10/2005*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   In response to the Preliminary Amendment filed on January 10, 2005, claims 1-20 are

pending.

Information Disclosure Statement

2.   The information disclosure statement (IDS) filed on January 10, 2005 is objected to

because of the following informality: The declaration filed with this (IDS) has been properly

submitted, however, this declaration does not need to be cited on the SB08(b) (1449) form since

it is not a publication and therefore the mention of this document on the (IDS) has been crossed

out on the form to prevent its listing on the face of the patent, if and when this application is

allowed.

Requirement for Information

3.   An issue of public use or on sale activity has been raised in this application. In order for

the examiner to properly consider patentability of the claimed invention under 35 U.S.C. 102(b),

additional information regarding this issue is required as follows: As per 37 C.F.R.

1.105(a)(1)(vii) the applicants are required to provide more complete information on the use of

the invention known to the inventors at the time the application was filed. Specifically the office

would like to receive information regarding the following: (1) where the disclosure and sale took

place to determine if it is in the U.S., (2) whether the discussions with Oracle consultants were

public, including facts as to the circumstances of the disclosure, whether the consultants are

bound by a confidentiality or non-disclosure agreement, whether there is any public record of the

discussions (e.g., articles or trade show materials), (3) whether the product disclosed and sold

embodies the invention claimed, and (4) all other information that would be pertinent to the

disclosure and sale. Applicant is reminded that failure to fully reply to this requirement for

information will result in a holding of abandonment.

Drawings

4.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show every

feature of the invention specified in the claims. Therefore, the "exception is generated",

"exception causes a message to be generated", "exception causes a message to be sent to a

planner", "receiving a first plurality of requests", "receiving a second plurality of requests" and

"receiving a third plurality of requests" must be shown or the feature(s) canceled from the

claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to

the Office action to avoid abandonment of the application. Any amended replacement drawing

sheet should include all of the figures appearing on the immediate prior version of the sheet,

even if only one figure is being amended. The figure or figure number of an amended drawing

should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure

must be removed from the replacement sheet, and where necessary, the remaining figures must

be renumbered and appropriate changes made to the brief description of the several views of the

drawings for consistency. Additional replacement sheets may be necessary to show the

renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet"

pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

be notified and informed of any required corrective action in the next Office action. The

objection to the drawings will not be held in abeyance.

Specification

5.   The disclosure is objected to because of the following informalities: The term "order

promising component" (paragraph [0010], lines 14 and 16, paragraph [0015], line 14, paragraph

[0016], line 23, paragraph [0017], line 30, paragraph [0022], line 2, paragraph [0028], line 23,

paragraph [0029], line 29 and paragraph [0037], line 32) should be --order processing

component--. Also, the term "order processing component 22" (paragraph [0038], line 9) should

be --order processing component 20--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

7.   Claims 2-5, 11, 19 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

       Regarding to claims 2 and 3, it is not clear what a "changing a pointer to the new supply

plan" and "exception is generated" entails, respectively. Also, claim 2 recites the limitation "the

step of switching" in lines 1 and 2. Claim 11 recites the limitation "after switching" in line 1.

Claim 19 recites the limitation "the old supply plan" in line 2. There is insufficient antecedent

basis for this limitation in the claim.

Claims 4, 5 and 20 are rejected for incorporating the above errors from their respective

parent claims by dependency.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this
> or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (f) he did not himself invent the subject matter sought to be patented.

9.   Claim 1 is rejected under 35 U.S.C. 102(a) as being unpatentable by Ojha et al. (U.S.

Pub. No. 2002/0152104 A1).

Regarding to claim 1, Ojha et al. discloses the method of updating a supply plan used to

process customer requests in an available-to-promise (ATP) system (paragraph [0003], lines 9-

11), the method comprising: updating a model of a supply chain (i.e. planning information)

(paragraph [0006], lines 13-16 and paragraph [0027], lines 11-19) for one or more products sold

by the ATP system (paragraph [0003], lines 11-14); copying (i.e. replicating) a current supply

plan used by the ATP system to process customer requests to create a second supply plan

(paragraph [0027], lines 19-22); thereafter, receiving a first plurality of customers requests at the

ATP system and processing orders from the requests against the current supply plan (paragraph

[0006], lines 7-9) while running the model of the supply chain with the second supply plan (i.e.

uninterrupted service) as part of a process that creates a new (i.e. updated) supply plan

(paragraph [0008], lines 8-13); after the new supply plan is created, synchronizing the new

supply plan by processing orders from the first plurality of customer requests scheduled against

the current supply plan into the new supply plan (paragraph [0046], lines 1-4), wherein the

synchronizing process is stopped (i.e. not on-line) prior to synchronizing all the orders in the first

plurality of requests into the new supply plan (paragraph [0045], lines 6-11 and paragraph

[0048], lines 1-4); thereafter, temporarily stopping promising orders (i.e. terminate operation)

while synchronizing all remaining orders from the first plurality of requests not synchronized

during the synchronizing process in the new supply plan (paragraph [0050], lines 1-21); and

after the remaining orders from the first plurality of requests are processed, replacing the current

supply plan with the new (i.e. updated) supply plan so that the ATP system processes future

customer requests against the new (i.e. updated) supply plan (paragraph [0017], lines 6-10 and

paragraph [0050], lines 6-12).

10.   Claims 1-20 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the

invention. The applicants have provided a declaration in their IDS filed on January 10, 2005 that

this invention was discussed and sold to the public.

11.   Claims 1-20 are rejected under 35 U.S.C. 102(f) because the applicant did not invent the

claimed subject matter. One of the applicants of the invention, Christine Chen, states that she

possessed the idea of the invention prior to July 1, 2002. However, the Oath of the application

filed on July 1, 2003 lists two additional inventors. Therefore Christine Chen did not solely

invent the subject matter of this patent application herself.

Claim Rejections - 35 USC § 103

12.   This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c)

and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness
       or nonobviousness.

14.   Claims 10, 11, 14, 15, 19 and 20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Ojha et al. (U.S. Pub. No. 2002/0152104 A1).

        Regarding to claim 10, Ojha et al. discloses the invention substantially as claimed. Ojha

et al. discloses pre-allocating products available (i.e. forecasts of future customer demand)

(paragraph [0003], lines 5-11). However, Ojha et al. does explicitly teach pre-allocating

products available for promising in the new supply plan. It is common knowledge in the prior art

that organizations previously define business objectives. Therefore, it would have been obvious

to one having ordinary skill in the art at the time the invention was made to pre-allocate products

available for promising to both the current and new supply plan. The motivation for doing so

would be to better meet customer demand.

        Regarding to claim 11, Ojha et al. discloses the invention substantially as claimed. Ojha

et al. discloses after switching (i.e. replacing) (paragraph [0006], lines 21-22) to the new supply

plan, promising orders from the requests against the new supply plan (paragraph [0004], lines 3-

6). However, Ojha et al. does not explicitly disclose receiving and promising a second plurality

of customers request by the ATP system against the new supply plan. It is common knowledge

in the prior art that a second plurality of requests is received after the first plurality of request

once the supply plan is switched (i.e. replaced). Therefore, it would have been obvious to one

having ordinary skill in the art at the time the invention was made to receive and promise orders

from a second plurality of requests by the ATP system after the supply plan is switched (i.e.

replaced) against the new supply plan. The motivation for doing so would be to promise

customer requests against the current and new supply plan without interruptions in service.

Regarding to claim 14, Ojha et al. discloses the invention substantially as claimed. Ojha et al. teaches the method of managing available-to-promise sales orders (paragraph [0003], lines 1-5), the method comprising: receiving a first plurality of requests from customers and promising orders (paragraph [0004], lines 3-6) from the first plurality of requests against a first supply plan (paragraph [0006], lines 1-7); creating a new supply plan (i.e. modifying) (paragraph [0006], lines 7-9); receiving requests from customers (i.e. uninterrupted service) while the new supply plan is being created (paragraph [0008], lines 8-13); promising orders from the requests against the first supply plan (paragraph [0004], lines 3-6); invalidating (i.e. terminating) the first supply plan and activating (i.e. take over) the new supply plan (paragraph [0017], lines 6-10 and paragraph [0050], lines 6-12); receiving requests from customers, and promising orders from the requests against the new supply plan (paragraph [0004], lines 3-6 and paragraph [0035], lines 15-20). However, Ojha et al. does not explicitly disclose receiving a second and third plurality of requests from customers, wherein the second plurality of requests is received after the first plurality of requests, the third plurality of requests is received after the second plurality of requests; promising orders from the second plurality of requests against the first supply plan, and promising orders from the third plurality of requests against the new supply plan. It is common knowledge in the prior art that a second plurality of requests is received after the first plurality of request; the third plurality of requests is received after the second plurality of requests. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the second plurality of requests received after the first plurality of requests, the third plurality of requests received after the second plurality of requests; and promising orders from the second plurality of requests against the first supply plan, and

promising orders from the third plurality of requests against the new supply plan (paragraph

[0004], lines 3-6). The motivation for doing so would be to promise customer requests against

both the current and new supply plan.

Regarding to claim 15, Ojha et al. teaches copying (i.e. replicating) the first supply plan

and creating the new supply plan from the copy (i.e. replicate) of the first supply plan (paragraph

[0027], lines 19-22).

Regarding to claim 19, Ojha et al. teaches the invention substantially as claimed.

However, Ojha et al. does not explicitly disclose synchronizing a first subset of the second

plurality of requests scheduled against the old supply plan into the new supply plan (i.e. modified

plan) by processing the second plurality of request against the new supply plan. It is common

knowledge in the prior art that a second plurality of requests is received after the first plurality of

request. Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to synchronize a first subset of the second plurality of requests scheduled

against the old supply plan into the new supply plan (i.e. modified plan) by processing the

second plurality of request against the new supply plan (paragraph [0006], lines 1-20). The

motivation for doing so would have been to update the supply plan.

Regarding to claim 20, Ojha et al. teaches temporarily stopping promising orders (i.e. not

online) (paragraph [0045], lines 6-11 and paragraph [0048], lines 1-4); and synchronizing all

remaining requests from the second plurality of requests not synchronized during the

synchronizing the first subset (paragraph [0050], lines 12-21).

15.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ojha et al. (U.S.

Pub. No. 2002/0152104 A1) as applied to claim 1 above, and further in view of Bush Jr. (U.S.

Pat. No. 6,486,899 B1).

Regarding to claim 2, Ojha et al. discloses the invention substantially as claimed.

However, Ojha et al. does not disclose changing a pointer to the new supply plan and setting a

flag associated with the new supply plan to indicate that the new supply plan is available for

ATP processing. Bush Jr. teaches using notifications flags to display logistic information

relating to supply plans (i.e. entities or distribution resources) in the supply chain (column 5,

lines 6-8). Therefore, it would have been obvious to one having ordinary skill in the art at the

time the invention was made to combine the method of Ojha et al. with the feature of changing a

pointer to the new supply plan and setting a flag associated with the new supply plan, as both

Ojha et al. and Bush Jr. are directed to the method of updating a supply plan. The motivation for

doing so would have been to indicate that the new supply plan is available for ATP processing.

16.   Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ojha et al.

(U.S. Pub. No. 2002/0152104 A1) as applied to claim 1 above, and further in view of AMR

Consulting White Paper: "Planning for Tomorrow: A Tactical Approach to Supply Chain

Innovation" (hereafter referred to as AMR Consulting).

Regarding to claims 3-5, Ojha et al. discloses the invention substantially as claimed.

However, Ojha et al. does not disclose an exception is generated (as per claim 3) and causes a

message (as per claim 4) to be sent to a planner (as per claim 5) for processing if a promise made

against the current supply plan cannot be made against the new supply plan. However, AMR

Consulting teaches an exception causing a message to be generated (i.e. automatic notification) and sent to a planner (i.e. decision makers) for processing if a promise made against the current supply plan cannot be made against the new supply plan (i.e. when business events diverge from planning targets) (page 18, paragraph 5). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Ojha et al. with the feature of an exception (as per claim 3) to cause a message to be generated (as per claim 4) and sent to a planner for processing (as per claim 5) as taught by AMR Consulting, as both Ojha et al. and AMR Consulting are directed to the method of updating a supply plan. The motivation for doing so would have been to notify a planner if a promise made against the current supply plan cannot be made against the new supply plan.

17.   Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ojha et al. (U.S. Pub. No. 2002/0152104 A1) as applied to claim 1 above, and further in view of Brichta (U.S. Pat. No. 5,864,483).

Regarding to claim 6 and 7, Ojha et al. discloses the invention substantially as claimed. However, Ojha et al. does not explicitly disclose stopping synchronization when it is determined that a predetermined number of requests still need to be synchronized (as per claim 6), wherein the predetermined number is calculated by a system based on an average time of synchronizing each request and a desired system downtime entered by a planner (as per claim 7). Brichta teaches alerting a planner (i.e. provider) when services or products are approaching unacceptable levels relative to predetermined number of requests (i.e. predetermined criteria) (column 1, lines 61-66), wherein the predetermined number (i.e. predetermined criteria) is calculated by a system

(column 7, lines 10-14) using statistical information including average time (i.e. mean) (column 2, lines 2-13, column 7, lines 20-28) based on each request and a desired system downtime (i.e. service information) (column 7, lines 14-17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Ojha et al. with the feature of stopping synchronization (i.e. appropriate action) (column 2, lines 14-17) when it is determined that a predetermined number of requests still need to be synchronized (as per claim 6), wherein the predetermined number is calculated by a system based on an average time (i.e. mean) of synchronizing each request and a desired system downtime entered by a planner (i.e. provider) (as per claim 7). The motivation for doing so would be to synchronize all the number of requests.

18.   Claims 8 and 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ojha et al. (U.S. Pub. No. 2002/0152104 A1) as applied to claim 1 above, and further in view of Syed et al. (U.S. Pat. No. RE39,549 E).

Regarding to claim 8, Ojha et al. discloses the invention substantially as claimed. However, Ojha et al. does not disclose prior to running the model, capturing a snapshot of data representing actual sales and promised requests for use in the creation of the new supply plan. Syed et al. teaches obtaining a snapshot time from a database server to return data that reflects a database state associated with the snapshot time (column 1, lines 64-67 to column 2, lines 1-4). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Ojha et al. with the feature of capturing a snapshot of data representing actual sales and promised requests as taught by Syed et al., as both Ojha et

al. and Syed et al. are directed to the method of updating a supply plan. The motivation for doing so would have been to create a new supply plan.

Regarding to claim 9, Ojha et al. discloses the invention substantially as claimed. However, Ojha et al. does not disclose creating a summary table from the new supply plan that can be used by the ATP system to quickly retrieve summarized availability information without computing availability from more detailed supply and demand tables. Syed et al. teaches relational database storing data in tables (column 5, lines 12-17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of Ojha et al. with the feature of creating a summary table (i.e. subset of the table) (column 5, lines 47-52) from the new supply plan as taught by Syed et al., as both Ojha et al. and Syed et al. are directed to the method of updating a supply plan. The motivation for doing so would have been to quickly retrieve summarized availability information without computing availability from more detailed supply and demand tables.

19.   Claim 12, 13 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ojha et al. (U.S. Pub. No. 2002/0152104 A1) as applied to claim 1 above, and further in view of Aram (U.S. Pub. No. 2002/0072988 A1).

Regarding to claim 12, 13, 16 and 18, Ojha et al. discloses the invention substantially as claimed. Ojha et al. teaches the method of updating a supply plan and available-to-promise system for processing customer requests, the system comprising: a supply chain planning component (i.e. Advanced Planning and Scheduling engine) configured to allow a planner to update (i.e. modify) (paragraph [006], lines 1-9) a model of a supply chain (i.e. planning

information) for one or more products sold by the ATP system paragraph (paragraph [0003],

lines 11-14); an order promising component (i.e. Advanced Planning and Scheduling engine)

configured to allow a planner to update an old supply plan used to process requests with a new

supply plan (paragraph [0006], lines 13-16, paragraph [0008], lines 8-13) by (i) copying (i.e.

replicating) a current supply plan used by the ATP system to process customer requests to create

a second supply plan (paragraph [0027], lines 19-22); (ii) thereafter, receiving a first plurality of

customer requests at the ATP system and promising orders from the first plurality of requests

against the current supply plan (paragraph [0006], lines 7-9) while the ATP system runs the

model of the supply chain process with the second supply plan (i.e. uninterrupted service) as part

of a process that creates a new supply plan (paragraph [0008], lines 8-13); (iii) after the new

supply plan is created, synchronizing orders from the first plurality of customer requests

scheduled against the current supply plan into the new supply plan (paragraph [0046], lines 1-4);

thereafter, temporarily stopping promising orders (i.e. terminating operations) from new

customer requests received at the ATP system while checking all remaining orders from the first

plurality of requests not checked during the synchronizing process against the new supply plan

(paragraph [0050], lines 1-6); and (v) after the remaining orders from the first plurality of

requests are processed, switching the new plan supply for the current supply plan so that the ATP

system can process future customer requests against the new supply plan (paragraph [0017], lines

6-10 and paragraph [0050], lines 6-12).   However Ojha et al. does not disclose processing a first

subset of the plurality of customer requests against the new supply plan until a threshold number

of orders in the first plurality of requests is reaches (as per claim 16), stopping the synchronizing

process when a number of outstanding orders not synchronized into the new plan reaches a

threshold number of orders in the first plurality of requests (as per claim 12), wherein the

threshold number is a user defined limit (as per claim 13 and 18). Aram teaches assisting

identification at which there is a risk of a level of outstanding orders (i.e. customer demand data)

falling below a threshold value (paragraph [0065], lines 1-12), wherein the outstanding orders

(i.e. customer demand data) is a user defined threshold (i.e. input by user) (paragraph [0066],

lines 3-5). Therefore, it would have been obvious for one having ordinary skill at the time the

invention was made to combine the method taught by Ojha et al. with the feature processing a

first subset of the plurality of customer requests against the new supply plan until a threshold

number of orders in the first plurality of requests is reaches (as per claim 16), stopping the

synchronizing process when a number of outstanding orders not synchronized into the new plan

reaches a threshold number of orders in the first plurality of requests (as per claim 12), wherein

the threshold number is a user defined limit (as per claim 13 and 18) as taught by Aram, as both

Ojha et al. and Aram are directed to the method of updating a supply plan. The motivation for

doing so would be to synchronize all orders into the new supply plan.

Regarding to claim 17, Ojha et al. discloses a demand planning component (i.e. demand

fulfillment engine) configured to allow a planner to create a demand plan (paragraph [0019],

lines 7-14 and paragraph [0024], lines 10-14) that can be used by the supply chain planning

component to model a supply chain (paragraph [0019], lines 14-18).

Conclusion

20.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Eller et al. (U.S. Pub No. 2003/0090722 A1) teaches a method and system for reducing

lead-time in the packaging supply chain. Huang et al. (U.S. Pat. No. 5,953,707) teaches a system

for the management of an agile supply chain. Jordan et al. (U.S. Pub. No. 2004/0128176 A1)

teaches a method and system for fulfillment of customer orders in a supply chain. Uno et al.

(U.S. Pub. No. 2003/0158769 A1) teaches a method of managing a supply chain.

21.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to George Park whose telephone number is (571) 270-3547. The

examiner can normally be reached on Monday - Friday (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joe Cheng can be reached on (571) 272-4433. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GP   /Joe H Cheng/
10/15/07   Supervisory Patent Examiner, Art Unit 4114